

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Private Activity Bond Approval Act.

6 Section 5. Public policy. It is the policy of this State  
7 that in order to maintain an effective system of monitoring the  
8 use of federal subsidies within the State, facilities within  
9 the State proposed to be financed with bonds issued by an  
10 issuer that does not have jurisdiction over the location of  
11 those facilities must receive prior approval from the Governor  
12 in accordance with this Act.

13 Section 10. Definition. "Host approval" means an approval  
14 by an applicable elected representative of a governmental unit,  
15 for purposes of Section 147(f)(2)(A)(ii) of the Internal  
16 Revenue Code, having jurisdiction over the area in which a  
17 facility is located that is to be financed with bonds issued by  
18 an issuer that does not have jurisdiction over the location of  
19 the facility.

20 Section 15. Qualifications for facility requiring host  
21 approval.

1           (a) Host approval shall not be granted unless and until the  
2 Governor has received the items and information listed in  
3 subsection (b) of this Section and has issued an approval as  
4 set forth in subsection (c) of this Section.

5           (b) The following items and information must be received by  
6 the Governor:

7                 (1) a copy of the notice of public hearing pertaining  
8 to the facilities;

9                 (2) minutes or another official record of the public  
10 hearing;

11                 (3) the maximum stated principal amount of the bonds;

12                 (4) a description of the facility, including its  
13 location;

14                 (5) a description of the plan of finance;

15                 (6) the name of the issuer of the bonds; and

16                 (7) the name of the initial owner or principal user of  
17 the facility.

18           (c) If, and only if, the Governor determines that the  
19 facility and the items and information submitted under  
20 subsection (b) of this Section are consistent with the laws and  
21 public policy of the State and are in the best interest of the  
22 State, then the Governor shall issue a written approval under  
23 this Section authorizing the governmental unit to grant its  
24 host approval in its discretion.

25           Section 99. Effective date. This Act takes effect January  
26 1, 2011.